SECTION 1200.0 GENERAL

1200.1 Building Official

The Director of the Division of Engineering and Buildings is the Building Official for buildings and structures on state owned property in accord with the Code of Virginia §36-98.1 and is called the 'State Building Official' in this Manual.. The Department of Transportation has authority over structures in the Right of Way that are not regulated the Virginia Uniform Statewide Building Code (USBC) [i.e. Occupiable buildings, Rest Area buildings, Welcome Centers, and such are regulated by the USBC and are under the jurisdiction of the State Building Official for USBC compliance]. Certain state agenc ies that are designated as authorities (i.e. Virginia Port Authority, VCU Health Systems) by the Code of Virginia may either exercise Building Official authority, or contract for Building Official services with a locality or the State Building Official.

The Building Official's technical staff is the Bureau of Capital Outlay Management and its Virginia licensed Architects and Professional Engineers.

The *Code of Virginia*, §36-98.1, delegates authority for building code enforcement for buildings on state property to the Department of General Services (DGS) acting through the Division of Engineering and Buildings (DEB). Further, the Virginia Uniform Statewide Building Code (USBC) indicates in Part 1, Chapter 1 that acting through the Division of Engineering and Buildings, the Department of General Services shall function as the building official and the building maintenance official for state owned buildings. This includes all buildings on state property (not otherwise exempt) both currently existing buildings and new or under construction buildings.

1200.1 Building Maintenance Official

As provided in Part I and Part III of Chapter 1 of the USBC, the Department of General Services (DGS) acting through the Division of Engineering and Buildings (DEB) as the Building Maintenance Official hereby requires and directs that each and every state agency which has real property (land and buildings) shall comply with "any and all maintenance provisions of Part III, Chapter 1, (13 VAC 5-62-420 et seq.) of the USBC". The USBC adopts and amends the International Property Maintenance Code 2000 (IPMC) to be an enforceable part of the USBC.

The USBC prescribes that building maintenance regulations are to be complied with in the repair and maintenance of existing structures and equipment. The purpose is to ensure public safety, health, and welfare through proper building maintenance, repair, and use and continued compliance such as accessibility and energy conservation.

The chief administrative official of each state agency which has real property shall be responsible and accountable to the Building Maintenance Official for compliance with any and all maintenance provisions of Part III, Chapter 1, (13 VAC 5-62-420 et seq.) of the USBC. To facilitate the administration and operations of the Agency's compliance with the Maintenance Regulations, each agency must submit an application to the Building Maintenance Official to designate an Agency Building Maintenance Representative to respond to complaints of non-compliance and to assure that the Agency complies with the Maintenance Regulations. Once the applicant has been approved by

the Building Maintenance Official, the Agency Building Maintenance Representative shall be the onsite representative of the Building Maintenance Official for compliance at that Agency. The Agency Building Maintenance Representative shall receive complaints, resolve the issues and otherwise assure compliance with the Maintenance Regulations for that Agency. The Agency Building Maintenance Representative shall submit a report to the Building Official by January 31 each year for previous calendar year's activity. The report shall itemize all complaints received, the action taken and any other noteworthy activities that may have been performed under VUSBC 129.7.

SECTION 1201.0 BUILDING PERMIT POLICY for CONSTRUCTION - STATE OWNED BUILDINGS & STRUCTURES

The policy supplements the Virginia Uniform Statewide Building Code by further defining scope of work and submittal requirements to the Building Official for state owned buildings and structures. See Appendix P.

SECTION 1202.0 ANNUAL PERMIT

Annual Permits are issued by the Building Official at the Building Official's sole discretion to Agency Representatives at various state agencies in accord with the Virginia Uniform Statewide Building Code and the policies of the Building Official for Buildings on State Property for the purpose of assuring that the code is met throughout the state on ongoing work by the agencies. The Agency Representatives are not the Building Official, and their authority is limited as defined by the Building Permit Policy for Construction – State Owned Buildings & Structures.

Agency Representatives are limited to one principle Agency Representative (Alternate Agency Representatives report to the principle) per agency at the central agency location. Application may be made by completing the Annual Permits - Agency Representative Application which can be found at http://forms.dgs.virginia.gov. In order for an Agency Representative to be granted full Annual Permit authority they must be a registered architect or professional engineer in Virginia with experience in building design and a current knowledge of the Uniform Statewide Building Code. Agency Representative applicants that not registered architects or professional engineers in Virginia may apply, but must demonstrate knowledge of building construction, building design, experience in building design and a current knowledge of the Uniform Statewide Building Code,, If given Annual Permit authority, they may have their authority limited.

SECTION 1203.0 TEMPORARY STRUCTURES (TENT, STAGE, PLATFORM, BLEACHERS, & OTHER STRUCTURES)

Application for Permit to erect and use temporary structures must be submitted to the Building Official at least 10 days prior to the proposed use. See the Virginia Uniform Statewide Building Code and the Building Permit Policy for Construction – State Owned Buildings & Structures for the scope of work that requires a permit. Also see Chapter 15.

Tent Permits allow both the erection and the Use and Occupancy of the tent subject to the stipulations shown on the permit. Tent permits are normally issued to allow the tent to be erected the day before the event and to be taken down the day after the event. Exceptions to this Policy may be requested in writing where very large tents with structural frames are required to be erected for the tent. In such cases, the tent supplier and agency shall acknowledge responsibility for safety and security of the tent and area. Tent Permits require that the tent be struck in the event that winds exceeding 40 mph are predicted in the vicinity of the tent location.

Seasonal / Multiple Function Permit

If a temporary structure is to be repeatedly erected at the same location and for the same type of function AND if the tent is located the proper distances away from existing buildings, the agency may submit an application for a Seasonal Permit to erect the structure for several specified dates. The conditions of the Seasonal Permit require that identical structure be erected, furnished, equipped, used for the identical purpose in the identical location AND that the tent to be erected the day before the event and to be taken down the day after the event. Any variation from a seasonal permit requires a separate permit.

AARB

"Temporary Structures" are not temporary if proposed for more than 180 days. Any 'non-permanent structure' placed on state property for more than 180 days requires approval of the AARB. Tents erected for more than 5 days may require the concurrence of the AARB Chairman.

TENT

Site Plan

Indicate property lines, roads, sidewalks, grades greater than 5%, distance to adjacent buildings or structures, and handicapped accessible route to the public way.

Location

Show the location of the tent on the Site Plan and indicate the distances to the nearest buildings on the Permit Application. Tents proposed to be located closer to existing buildings than allowed by the USBC will require special evaluation and may require special conditions if allowed to be erected. Erection of a tent in proximity to a building shall be done in a manner which will not decrease the safety of the building occupants while providing required safety for the occupants of the Tent.

Floor Plan

Indicate means of egress, aisles, exits, furnishings, and equipment. Provide a description of the function or activity to take place. Indicate the proposed Maximum Occupant Load.

Other Construction

Indicate the method of tie-down / anchorage for tents including the proposed wind and live loads. (See Special Conditions below.) Indicate means of egress lighting and power for tents that are proposed to be used at night. Indicate the method of ventilation when tent sidewalls are closed, or when tents are proposed to be conditioned.

Certificate of Flame Resistance

Provide Certificate of Flame Resistance to include tent serial numbers and descriptions (size, color, etc.) so that the tent certificates and tents can be clearly matched up on a one to one correspondence. Open flames, space heaters, or food cooking / heating devices (except with approved electrical appliances and approved power supply) are NOT permitted under and within 20 feet of a tent.

Inspection

Responsible User or the Agency Representative shall inspect the installation for compliance with the approved documents.

Special Conditions

Tents that are proposed to be occupied during wind speeds that exceed 35 MPH require a tie-down / anchorage design signed and sealed by a Virginia licensed architect or engineer.

STAGE / PLATFORM / BLEACHERS

Site Plan

Outside installations: indicate property lines, roads, sidewalks, grades greater than 5%, distances to adjacent buildings or structures, and handicapped accessible route to the public way. Inside installations: indicate the buildings and room location and name.

Floor Plan

Indicate means of egress, aisles, exits, guards, handrails, furnishings, and equipment. Provide a description of the function or activity to take place. Indicate the proposed Maximum Occupant Load.

Other Construction

Indicate the means of egress lighting and power for structures that are proposed to be used at night. Indicate the method of tie-down / anchorage for structures including the proposed wind loads and live loads. Provide details of anchorage and calculations to show proper anchorage against overturing.

Closed v. Open Engineered Systems

Provide manufacturer data for stage, platform, and bleachers along with a certificate of insurance from the equipment rental / erection company.

If the structures are fabricated on site and/or erected by other than the equipment rental company, provide construction/erection documents signed by a Virginia licensed architect or engineer.

Inspection

Responsible User or the Agency Representative shall inspect the installation for compliance with the approved construction / erection documents.

Exceptions:

Platform (Dance Floors)

Dance floors that are no more than 4 inches above the grade plane at any point do not require a permit (a 2 x 4 on edge with a plywood floor is nominally 4 inches; therefore, does not require a permit).

Stage (Performance Sets)

Performance sets that are owned and erected (not rented locally) by contract performance groups (e.g. Private Bands and Theater Groups), that are exclusively for the use of the contract performance group and from which the public are excluded, are considered equipment of the performing group; therefore, such stages / equipment do not require a permit from BCOM.

Seasonal / Multiple Function Stage Permit

If a temporary stage is to be repeatedly erected at the same location and for the same type of function AND if the stage is to be installed by an experienced, trained and supervised crew, the agency may submit an application for a Seasonal Permit to erect the stage / structure at a given location for several specified dates. The conditions of the Seasonal Permit require that identical structure be erected, furnished, equipped, used for the identical purpose in the identical location AND that the stage to be erected and inspected by the Agency Safety Officer. Any variation from a seasonal permit requires a separate permit.

OTHER TEMPORARY STRUCTURES

Contact the Bureau of Capital Outlay Management.

SECTION 1204.0 INDUSTRIALIZED BUILDINGS

Application for Permit to install, make utility connections, and occupy an Industrialized Building must be submitted to the Building Official at least 10 days prior to installation. See the Virginia Uniform Statewide Building Code and the Building Permit Policy for Construction – State Owned Buildings & Structures for the scope of work that requires a permit. Industrialized Buildings used as construction trailers on a project construction site are exempt.

AARB

Industrialized Building must obtain AARB approval. Industrialized Building used as construction trailers on a project construction do not require AARB approval.

Site Plan

Indicate property lines, easements, roads, sidewalks, grading, parking (including handicapped spaces), site utilities (size and location: water, sewer, electric, and gas), distances to adjacent buildings or structures, and handicapped accessible route to the public way.

Foundation

Indicate soils bearing capacity, number and location of piers, and number and location of tie down anchors.

Other Construction

Indicate stairways, ramps, porches, hallways, sidewalks, paving, roofs, lighting, and other items that are not a part of the industrialized building delivered to the site.

Inspection

Inspection by the A/E Record and the Regional Fire Marshal Office are required. Submit inspection reports indicating compliance with approved documents.

Additions, Renovations, and Alterations

Changes to Industrialized Building are regulated in the same manner as changes to all existing structures. Do not make changes to any component of the building, or occupy any portion of a building without approval of the Building Official.

Industrialized Buildings without a Virginia Registration Seal

If the proposed building does not have a Virginia Registration Seal, the Owner must demonstrate that the building complies with the code. The following are required:

- 1) Signed and sealed documents shall be provided by a Virginia licensed architect or engineer showing the construction including structural, mechanical, electrical, and plumbing systems,
- 2) Fire Protection Information Plan shall be provided in accord with the CPSM.
- 3) Building shall be inspected by a Virginia licensed architect or engineer for compliance with the VUSBC, CPSM and UFAS, and a statement with seal, signature, and date, stating that the building conforms to these requirements.

Procurement Guidance

Define the use and occupancy of the building prior to procurement. Procure the building in accord with CPSM requirements, VPPA requirements, or by a standard lease. Require Virginia seals and registration numbers on the industrialized building in accord with the Virginia Industrialized Building Safety Regulations, 13 VAC 5-91 et seq.

SECTION 1205.0 TOWERS

Application for Permit to install a Tower must be submitted to the Building Official at least 10 days prior to installation. See the Virginia Uniform Statewide Building Code and the Building Permit Policy for Construction – State Owned Buildings & Structures for the scope of work that requires a permit. For leased facilities, applicant shall indicate the date when lease was approved by BRPM.

AARB

Towers require AARB approval. Adding antennae to existing buildings require AARB. Adding antennae to existing towers are exempt

Site Plan

Indicate property lines, easements, roads, sidewalks, grading, site utilities, and distances to adjacent buildings or structures.

Foundation

Indicate soils bearing capacity and foundation design (size and reinforcement of footings, number and location of piers, and number and location of tie down anchors).

Other Construction

Indicate fences, storage structures, electrical service, lighting, sidewalks, paving

Closed v. Open Engineered Systems

Provide manufacturer data for manufactured tower construction that are constructed in the factory.. If the structures are fabricated on site, provide construction documents signed and sealed by a Virginia licensed architect or engineer.

Inspection/ Certificate of Occupancy

Inspection by the A/E Record and submission of the Statement of Structural & Special Inspections (for an antenna addition to existing tower, letter from A/E with signed and sealed stating that the tower will accommodate added loads) is required. Submit inspection reports indicating compliance with approved documents.

Additions, Renovations, and Alterations

Changes to a tower and the addition of antennae are regulated in the same manner as tower installations. Do not make changes to any component of the tower without approval of the Building Official.

Permit Fees

Contact the Bureau of Capital Outlay Management. Fee required with application. Make Checks payable to the Treasurer of Virginia.

SECTION 1206.0 OTHER STRUCTURES (FLAGPOLES, ANTENAE, FENCES, MISCELLANEOUS)

FLAGPOLE / ANTENAE

Application for Permit to install a flagpole / antennae more than 20 feet tall, and flagpoles / antennae to be attached to existing buildings must be submitted to the Building Official at least 10 days prior to installation. See the Virginia Uniform Statewide Building Code and the Building Permit Policy for Construction – State Owned Buildings & Structures for the scope of work that requires a permit. Flagpole / antennae with a height of 20 feet or less may be permitted under the Annual Permit authority.

AARB

Flagpoles must be approved by the AARB prior to permitting / erection

Site Plan

Indicate property lines, roads, sidewalks, and distances to adjacent buildings or structures, or the location of the building to which the flagpole / antennae is to be attached.

Foundation

Indicate soil bearing capacity and foundation design including: connection details, foundation details, based on manufacturer's standard data and details, or calculations signed by a Virginia licensed architect or engineer.

Other Construction

Indicate paving, sidewalks, electrical service, lighting

Closed v. Open Engineered Systems

Provide manufacturer data. If the structures are fabricated on site, provide construction documents.

Inspection

Inspection by the Applicant or a Virginia licensed architect or engineer is required. Submit inspection reports indicating compliance with approved documents.

FENCES

Application for Permit to install a fence more than 6 feet tall must be submitted to the Building Official at least 10 days prior to installation. See the Virginia Uniform Statewide Building Code and the Building Permit Policy for Construction – State Owned Buildings & Structures for the scope of work that requires a permit. Fences may be permitted under the Annual Permit authority.

AARB

Fences must be approved by the AARB prior to permitting / erection.

Site Plan

Indicate property lines, roads, sidewalks, and distances to adjacent buildings or structures, Fire Department access, Exit discharge, Public Way

Foundation

Indicate VDOT standard details for the erection and stability of fences, manufacturer's details, or calculations signed by a Virginia licensed architect or engineer.

Other Construction

Indicate paving, sidewalks, electrical service, lighting, storage structures

MISCELLANEOUS STRUCTURES

Contact the Bureau of Capital Outlay Management.

SECTION 1207.0 CODES & STANDARDS COMPLIANCE DISPUTES

The Assistant Director of the Division of Engineering and Buildings, acting under the delegation by the Director of the Division of Engineering and Buildings, functions as the Building Official for providing the Building Official duties in accord with the Virginia Uniform Statewide Building Code, Section titled "Delegation of Duties and Powers", for all work regulated by the Virginia Uniform Statewide Building Code on state owned property.

Appeal of the application of the Building Code or refusal to grant a modification to the provisions of the Building Code by the Building Official or his staff may be made by the affected state agency to the Director of the Division of Engineering and Buildings. Appeals shall be made in writing within 21days of the application of this code or refusal to grant a modification to the provisions of this code. The appeal shall contain the following information:

Agency Name:

Project Name:

Project Number:

Applicable Code / Edition / Section(s):

Disputed Application:

(Documents and narrative that describe in detail, with code references, the disputed application and the alternative proposed application.)

Proposed Modification:

(Documents and narrative that describe in detail, with code references, the proposed modification and systems that provides equivalent features to insure that the spirit and intent of the law is observed and that the public health, safety and welfare is assured.)

Justification:

Signature of the Chief Facilities Officer:

The Director shall issue a written decision on the appeal within fourteen (14) days of receipt by the Division of Engineering and Buildings of the appeal application.

State agencies shall exhaust this appeal process prior to application for appeal to the State Technical Review Board.

SECTION 1208.0 DELEGATION OF REVIEW AUTHORITY

1208.1 General

An Agency may request authority to perform reviews of the Agency's construction project drawings and specifications for conformance with the requirements of the Virginia Uniform Statewide Building Code (VUSBC) and the Commonwealth of Virginia Construction and Professional Services Manuals. The request shall be justified based on agency project workload and the availability of sufficient and qualified full time employees that can be dedicated to the review process. The Agency

shall submit an application, (CO-15) to the Director of the Division of Engineering and Buildings requesting such delegation of review authority.

The Agency shall establish a separate group called the Review Unit to perform the reviews. The Review Unit shall be responsible for assuring that the documents for the new construction, addition, and renovation projects conform to the requirements of the VUSBC, the ADA, the UFAS, this Manual, and other applicable codes, standards, regulations and policies. The Review Unit is not authorized to perform Fire Safety Reviews. This review will be conducted by BCOM personnel. The Review Unit shall also assure that the proposed construction / renovation conforms to the authorized scope of work, conforms to good construction practices, provides a cost effective design solution to the project requirements, and meets the space and functional criteria used to justify the project.

The Agency Review Unit HAS NO AUTHORITY TO REVIEW project documents of other agencies.

1208.2 Delegation

Delegation shall be for a period of 12 months and may be renewed on request by the Agency. The satisfactory performance of the Agency Review Unit during the previous 12 month period and the appropriated project workload shall be factors in granting a renewal of review authority. The Director of the Division of Engineering and Buildings may audit bid package plans and specifications submitted by the Agency at the time each project is released for bid, by on-site over the shoulder reviews / observation by representatives of the State Building Official, or by audit of contracts resulting from IFBs and RFPs that are issued.

1208.3 General Require ments for Delegation of Review Authority

The minimum technical requirements the agency must meet for consideration of delegation of review authority are:

- The agency shall have on staff as full time employees at least one registered Architect licensed in Virginia and at least one registered Professional Engineer licensed in Virginia in each of the following disciplines:
 - Civil/S tructural engineering
 - Mechanical engineering
 - Electrical engineering
- 2 The above registered and Virginia licensed professionals shall be designated as the Review Unit, with the primary responsibility of plan and specification review.
- 3. Members of the Review Unit shall have the following qualifications:
 - Licensed in Virginia as an Architect or Professional Engineer;
 - Bachelors Degree from accredited college of Architecture or Engineering;
 - Accredited as a Virginia Construction Contracting Officer (VCCO)
 - Understanding of requirements of the VUSBC and referenced standards;

- Understanding of requirements of the ADA-90 and UFAS;
- Attended seminar and understand of requirements of this Construction and Professional Services Manual
- Understand and apply the of Virginia Public Procurement Act (§2.2-4300 et seq. *Code of Virginia*, as revised);
- Understanding of and experience in application of the General Conditions of the Construction Contract;
- 4 A reference library of the applicable codes and standards shall be readily available in the Review Team office for use by the reviewers.
- 5 The Review Unit shall assure compliance with technical and procurement requirements of Chapters 7, 8, 9, and 10, and referenced Appendices of the Commonwealth of Virginia Construction and Professional Services Manual as issued by the Department of General Services / Division of Engineering and Buildings, and with all applicable Codes, Standards, and Statutes.
- The Review Unit shall not act on any requests for modification of VUSBC and related code / standard requirements, requests for waiver of the Commonwealth of Virginia Construction and Professional Services Manual requirements, and requests for interpretations of policies or directives related to Capital Outlay and Construction procurement procedures shall be requested from the Building Official for State Owned Buildings (the Director of the Division of Engineering and Buildings) who reserves the authority to grant such modifications and make such interpretations.
- 7 The Review Unit will be required to participate in an annual two day in-house training seminar with the BCOM review staff.

1208.4 Inspections

Inspections may be made by an Agency Inspector including members of the Review Team, through a request for assistance to the local building official, or by acquiring the services of a Project Inspector. The Fire Marshal shall inspect the fire safety elements of all facilities involved in new construction, renovations, additions or interior alterations. The Reviewers shall participate in the Substantial Completion Inspection and shall provide a report to the State Building Official regarding the status of the Work and shall provide a recommendation to the State Building Official concerning beneficial occupancy of the facility or applicable portion thereof. Representatives of the State Building Official shall inspect the facility for compliance prior to issuing the Certificate for beneficial occupancy of the facility or applicable portion thereof.

1208.5 Documentation of Reviews

The Review Unit shall submit a copy of the team's review comments and the approved CO-5 or CO-6 to the Director of the Division of Engineering and Buildings within 5 working days after the CO-5 or CO-6 is approved. On the CO-6 the project authorization shall contain the phrase "all changes to the construction documents required by the Review Unit and the BCOM or Regional Fire Marshal reviewer shall be incorporated in the construction documents prior to the release of

documents to potential bidders but no later than 10 days prior to the bid receipt date." A record set of the Bid Documents shall be sent to BCOM at the time documents are released to bidders. A copy of any and all addenda shall also be sent to BCOM at the same time such addenda are sent to the bidders.

1208.6 Award of the Construction Contract

Procedures in Chapter 10 of the Agency Manual for award of a construction contract including requests for permission to negotiate with the low bidder are not altered. The review team shall review the listing of changes to the bid documents which were negotiated to assure that the changes do not affect compliance with the applicable codes and standards. The Review Unit shall submit a signed statement with the CO-8 that the negotiated changes do not affect the code compliance, the Chapter 7 technical compliance, or the functional requirements for the project.

1209.7 General Requirements for Inspection

The Review Unit shall participate in the Substantial Completion Inspection and shall provide a report to the Building Official regarding the status of the Work and a recommendation concerning beneficial occupancy of the facility or applicable portion thereof for both Capital Outlay and Non-capital Projects. The Review Unit report will be required along with the other material submitted with the request for a Certificate of Use and Occupancy. The Division of Engineering and Buildings, in accordance with the Construction & Professional Services Manual, shall be notified and given the opportunity to attend the Substantial Completion inspection of all capital outlay projects.

1208.8 Review Unit Personnel Changes

Any change in assignment / designation of review personnel of the Review Unit shall be reported to DEB within 10 days of the change. Submit a revised CO-15, Application for Delegation of Review Authority, to the Bureau of Capital Outlay Management with the name and pertinent data only on the individual(s) dropped from and the individual(s) added to the team.